

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

AARON ABADI, Plaintiff, -against- AMERICAN AIRLINES, INC., et al., Defendants.	Civil Action No.: 1:23-cv-04033 LJL DECLARATION OF RAPHAEL LINARES FELIPPE
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I, Raphael Linares Felipe, hereby declare and state as follows:

1. I am the General Counsel and Head of Fleet and Legal Team of defendant Azul Linhas Aéreas Brasileiras S.A. (“Azul”) with a business address of Av. Marcos Pentead de Ulhoa Rodrigues, 939 - Tamboré - Barueri - SP, 06460-040 – Brazil. As a result of my employment, I am fully familiar with the business operations of Azul. I submit this Declaration in support of Azul’s Motion to Dismiss the Complaint filed on May 31, 2023 against 61 defendants, (the “Complaint”) by Plaintiff Aaron Abadi with respect to each and every count in the Complaint alleged against Azul. Unless otherwise stated, I am familiar with the facts and allegations contained in the Complaint and I submit this Declaration based upon my personal knowledge or my review of Azul records that are created and maintained in the ordinary course of Azul’s business.

2. Azul is a corporation organized and existing under the laws of Brazil, with its headquarters and principal place of business located in Barueri, Brazil. Azul has never maintained a principal place of business in New York or any state of the United States and has never operated flights to or from New York.

3. Exhibits 27 and 28 to the Complaint are September 2, 2021 and December 13, 2021 emails exchanged between an Azul customer support agent and Mr. Abadi. At all times

relevant to the Complaint, the office of Azul's Customer Experience Center, where the Azul customer support agent who communicated by email with Mr. Abadi was located, was in Sao Paulo, Brazil and the emails from the Azul customer support agent to Mr. Abadi originated from Brazil.

4. Azul has no record of Mr. Abadi booking a flight or purchasing a ticket from Azul from September 2021 to date. Specifically, according to Azul's records, Mr. Abadi did not: (a) make a reservation for travel on an Azul flight between September 2021 and the present; (b) enter into or purchase a ticket for travel on an Azul flight between September 2021 and the present; and (c) did not travel on any Azul flight between September 2021 and the present. Mr. Abadi does not, and could not, allege otherwise. Indeed, the Complaint alleges no facts relating to Azul concerning any specific flight, location, or damages sustained as a result of any conduct by Azul, including with respect to the flight itineraries filed by Mr. Abadi at Docket Number 3-83 which does not include any Azul flights or itineraries.

5. By the time Mr. Abadi filed the Complaint against Azul on May 31, 2023, Azul no longer had a mask mandate for travel on any flights and it has not had mask mandate requirements in place since the Complaint was filed. Nor is any such mandate in place as of the date of this Declaration for any Azul flight to or from the United States.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed on March 8, 2024



Raphael Linares Felipe
Diretor Juridico